

**Assembly Bill No. 330**

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Passed the Assembly September 2, 2009

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*Chief Clerk of the Assembly*

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Passed the Senate August 31, 2009

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 15005 to the Elections Code, relating to elections.

## LEGISLATIVE COUNSEL'S DIGEST

AB 330, Saldana. Elections: voting devices.

Under existing law, an elections official is required, no later than 7 days prior to an election, to conduct a test or a series of tests to ensure that every device used to tabulate ballots accurately records each vote. Existing law also authorizes qualified political parties, a bona fide association of citizens, or a media organization to have not more than 2 representatives present to check and review the preparation and operation of the tabulating devices and the programming and testing of those devices at any or all phases of the election.

This bill would require the county elections official to provide at least a 5-day public notice of the time and place of the test or series of tests of the tabulating devices and the preparation and operation of those devices and the programming and testing of those devices. The bill would also provide that the attendance of a representative at that time and place shall be subject to the existing restrictions.

By requiring county elections officials to perform additional duties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 15005 is added to the Elections Code, to read:

15005. (a) The county elections official shall provide at least a five-day public notice of the time and place of both of the following:

(1) The test or series of tests to be performed pursuant to Section 15000.

(2) The preparation and operation of the tabulating devices and the programming and testing of those devices as described in Section 15004.

(b) The attendance of a representative at the time and place described in subdivision (a) shall be subject to the restrictions set forth in Section 15004.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved \_\_\_\_\_, 2009

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*Governor*